

REMARKS

Claims 1-12 and 18-19 are pending in the present application. By this reply, claim 18 has been amended to improve form, and claim 19 has been amended according to the Examiner's suggestion made during the personal interview held at the USPTO. No new matter is added. Claims 1, 6-7, 10 and 18-19 are independent.

Interview Conducted on December 21, 2007

Applicants' representative thank the Examiner for the personal interview conducted on December 21, 2007 at the USPTO, and for the Interview Summary provided at the end of the interview. During the interview, patentable distinctions of the claimed invention were discussed, which was agreed by the Examiner. Thus, the Interview Summary states on page 2, "The arguments overcome the current rejection of Takano et al."

Thus, all current rejections should be withdrawn and it is believed the application is in condition for allowance.

Rejections under 35 U.S.C § 102 and § 103

Claims 1-3, 6-9 and 18-19 remain rejected under 35 U.S.C. § 102(a) as being anticipated by Takano et al. (U.S. Patent No. 5,448,728). Claims 4-5 and 10-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Takano et al. in view of Miyamoto et al. (U.S. Patent No. 5,867,455). These rejections, insofar as they pertain to the presently pending claims, are respectfully traversed.

As discussed during the personal interview held on December 21, 2007, Takano et al. does not involve replacement-recording of data and does not teach or suggest the specifics of the first and second information as recited in each independent claim. This was agreed by the Examiner as indicated on the Interview Summary.

Furthermore, Miyamoto does not overcome these deficiencies of Takano since Miyamoto is merely relied on for teaching multiple recording layers of a disc. Accordingly, all the

independent claims and their dependent claims (due to the dependency) are patentable over the applied references, and the rejections are improper and withdrawn.

CONCLUSION

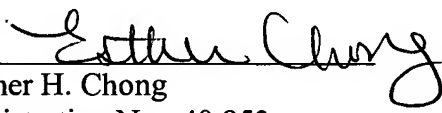
For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and to provide an early issuance of a Notice of Allowance.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 
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